

- Date:

(TYPE OR PRINT NAME OF PETITIONER)

(SIGNATURE OF PETITIONER)

# INSTRUCTIONS FOR FILING PETITION FOR CHANGE OF GENDER AND ISSUANCE OF NEW BIRTH CERTIFICATE

(This instruction page is for the information of petitioners. It is not part of the petition and does not need to be filed.)

## 1. Where to File

The petition for the issuance of a new birth certificate reflecting a change in gender must be filed in the superior court in the county where the petitioner presently lives or, if the petitioner was born in California but currently lives outside California, it may be filed in the superior court of any county. (See *Somers v. Superior Court* (2009) 172 Cal.App.4th 1407.)

## 2. What Forms Are Required

You will need an original and a copy of each of the following documents:

- a. *Petition for Change of Gender and Issuance of New Birth Certificate* (form NC-300)
- b. *Declaration of Physician—Attachment to Petition* (form NC-310) (signed by the physician and attached to form NC-300)
- c. *Notice of Hearing on Petition for Change of Gender and Issuance of New Birth Certificate* (form NC-320)
- d. *Order for Change of Gender and Issuance of New Birth Certificate* (form NC-330)

In addition, if you have already obtained a decree of change of name, attach a certified copy of the decree to the petition.

## 3. Filing Fee

Prepare an original *Civil Case Cover Sheet* (form CM-010). File the original petition and *Civil Case Cover Sheet* with the clerk of the court and obtain a filed-endorsed copy of the petition. A filing fee will be charged unless you qualify for a fee waiver. (If you want to apply for a fee waiver, see *Request to Waive Court Fees* (form FW-001)) and *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001—INFO).

## 4. Requesting a Court Hearing Date

You should request a date for the hearing on the *Notice of Hearing on Petition for Change of Gender and Issuance of New Birth Certificate* (form NC-320) from the court clerk.

## 5. Filing the Notice of Hearing

Take the completed form NC-320 to the clerk's office. The clerk will provide the hearing date and location, obtain the judicial officer's signature, file the original, and give you a copy.

## 6. Court Hearing

Bring copies of all documents to the hearing. If the judge grants the petition, the judge will sign the *Order for Change of Gender and Issuance of New Birth Certificate* (form NC-300).

## 7. New Birth Certificate

To obtain a new birth certificate reflecting the change of gender, file a certified copy of the order within 30 days with the State Registrar and pay the applicable fees. You may write or contact the State Registrar at:

**California Department of Public Health  
Office of Vital Records  
MS 5103, P.O. Box 997410  
Sacramento, CA 95899-7410**

**Phone: 916-445-2684  
Web site: [www.cdph.ca.gov](http://www.cdph.ca.gov)**

Local courts may supplement these instructions. Check with the court to determine whether supplemental information is available. For instance, the court may provide you with additional written information identifying the department that handles these petitions and the times when petitions are heard.